

**Introduced by Senator Morrow**

March 13, 2006

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Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 8 to Article XX thereof, relating to ports.

LEGISLATIVE COUNSEL’S DIGEST

SCA 29, as introduced, Morrow. Ports: California Port Security Enhancement Act.

Existing law creates harbor and port districts in the state and imposes powers and duties on those districts.

This measure would amend the California Constitution to prohibit a state or local governmental entity that owns, controls, or operates a harbor or port facility within the state from authorizing or permitting, by contract or otherwise, an entity that is owned or controlled by a government of or in a foreign country to manage or operate that harbor or port. This measure would include a requirement that the Governor disclose to the public who owns or controls the entities that manage or operate the harbors and ports in this state. The measure would authorize the Governor to promulgate regulations, as may be necessary, requiring public and private entities in possession of that information to disclose it to the Governor.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

- 1 WHEREAS, This measure shall be known and may be cited as
- 2 “The California Port Security Enhancement Act of 2006”; now,
- 3 therefore, be it

1     *Resolved by the Senate, the Assembly concurring,* That the  
2     Legislature of the State of California at its 2005–06 Regular  
3     Session commencing on the sixth day of December 2004,  
4     two-thirds of the membership of each house concurring, hereby  
5     proposes to the people of the State of California, that the  
6     Constitution of the State be amended as follows:

7     That Section 8 is added to Article XX thereof, to read:

8     SEC. 8. (a) A state or local governmental entity that owns,  
9     controls, or operates a harbor or port facility within the State  
10    shall not, by contract or otherwise, authorize or permit an entity  
11    that is owned or controlled by a government of or in a foreign  
12    country to manage or operate that harbor or port.

13    (b) The Governor shall disclose to the public who owns and  
14    controls the entities that manage or operate the harbors and ports  
15    in this State. The Governor shall promulgate regulations, as may  
16    be necessary, requiring those public and private entities in  
17    possession of the information necessary to determine who owns  
18    or controls the entities that manage or operate the harbors and  
19    ports in this State, to disclose that information to the Governor  
20    for purposes of this subdivision.